

**REQUEST FOR AN EARLY EFFECTIVE DATE
Pursuant To Government Code Section 11343.4(c)**

The Air Resources Board (ARB or Board) formally requests, under Government Code section 11343.4(c), that the Office of Administrative Law (OAL) prescribe an “earlier effective date” for the Regulation to Reduce Greenhouse Gas Emissions from Semiconductor Operations that was adopted as regulation on February 26, 2009 (Agenda Item 09-2-3). ARB believes the following demonstrates “good cause” for OAL to prescribe an earlier effective date – i.e., an effective date to coincide with the filing of the regulations with the Secretary of State.

DEMONSTRATION OF GOOD CAUSE

In this rulemaking, the Board adopted a new regulation that reduces sulfur hexafluoride emissions, the most potent greenhouse gas identified by the Intergovernmental Panel on Climate Change. This regulation is a discrete early action greenhouse gas emission reduction measure, as described in the California Global Warming Solutions Act of 2006; Health and Safety Code Section 38560.5(d) specifies that discrete early action measures “shall be enforceable no later than January 1, 2010.” ARB would like to meet this legal deadline with time to spare. Since a regulation cannot be enforced until it is legally effective, we are requesting an early effective date in order to comply with this legal requirement as early as possible.

For this reason, ARB believes there is good cause for OAL to prescribe an earlier effective date. Therefore, ARB hereby requests that OAL approve an earlier effective date, coinciding with submittal to the Secretary of State pursuant to Government Code section 11343.4(c).

/s/

Date: October 28, 2009

Deborah Kerns, Senior Staff Counsel